The Daily Courant.

Wedneſday, April 25. 1705.

London, April 25.

The Concluſion of Count Marſigli's Vindication.

TO ſhew the Invalidity of the Sentence paſs'd upon me, among the reſt, by the Court Martial at Bregentz, it will be ſufficient to examine the Inſufficiency of the Motives that Court acted upon; and it will appear plainly that they founded their Judgment upon Reaſons that were falſe, and of no Validity.

Theſe Judges lay down for a Foundation, that Briſac was in a Condition to defend it ſelf: To evince the contrary, I refer to the Accounts I gave, and the Proteſtations made when I had taken a View of it, and found it abſolutely deſtitute of all Things neceſſary. Which Accounts of mine deſerve the more to be regarded, becauſe they were written with no other Deſign than to ſollicit neceſſary Supplies and Repairs. Little did I imagine they would one Day ſerve to juſtify me from the Accuſation I have been charg'd with.

The Reſolution of the Diet at Ratisbon and the Order of the Prince of Baden which I have already mention'd, ſerve to demonſtrate the Falſhood of the ſaid Foundation; if on one Side the Number of Men and Cannon eſtabliſh'd by the ſaid Reſolution and Order as neceſſary for ſo large a Town as Briſac, be conſider'd; and if on the other it be obſerv'd, that when I enter'd into the Place, and at the time it ſurrendred, there was hardly in it half what the Diet and the Prince of Baden judg'd neceſſary for its Security in Time of Peace; ſo far was it from being provided according to the Eſtabliſhment in Time of War: For, ſuppoſing the Number of the 1744 Men that I found in Briſac, and of the 804 Men of my Regiment that were added to them, was compleat, the whole Garriſon would amount but to 2548 Soldiers; but, that Number being afterwards diminiſh'd, it was reduc'd to 2447. There were no more, the 2d day the Place was formally attack'd, at the general Review the Count of Arco caus'd to be made; and I poſted the ſame Number on the Breach that I mention'd before.

The Anſwer return'd to the Inſtances made for a Supply of Men and Cannon, was not that Briſac was ſufficiently provided, but that there was a more preſſing Neceſſity of making uſe of them elſewhere, and particularly at Fribourg, which 'twas thought the French would certainly attack.

But what need is there of Proof that Briſac had not Ammunition neceſſary, and conſequently that the ſaid Foundation of the Sentence given by the Judges cannot ſubſiſt? When that very Sentence gives for a Motive of the Condemnation of the Count of Arco, his *having not made the Diſpoſitions neceſſary for a vigorous Defence, nor provided the Place with what was requiſite for that Purpoſe.*

What greater Contradiction can there be, than to impute to the Count of Arco the not putting the Place into a Condition of Defence, and yet to charge him and me with yielding it up *without being able to ſhew the leaſt Want of Things neceſſary?* Theſe 2 parts of the Sentence manifeſtly deſtroy each other, ſhew the Judges were prepoſſeſs'd againſt us, and according to all Laws render the Sentence it ſelf invalid.

The Judges perſwaded themſelves they had found another Foundation in the Prince of Baden's Letter of the 16th of February 1703; wherein he order'd, that Briſac ſhould not be yielded up except with Sword in Hand in the Breach. It is true I had Knowledge of this Letter, but I profeſs never to have known any thing of that other which is likewiſe cited in the Sentence, as dated the 28th of May, and ſuppos'd to be a Confirmation of the firſt.

But as if the Judges themſelves had been ignorant of the laſt Letter his Highneſs wrote, dated the 30th of June, the Tenour of which is very different from that of the former, they wholly paſs it over in ſilence, in their Sentence, wherein the other two are cited. And yet this laſt Letter ſhews clearly, that his Highneſs was well inform'd of 'the Condi-'tion the Garriſon of Briſac was in, and of the Want 'of neceſſary Ammunitions in the Place. His Highneſs ſets forth 'his abſolute Inability to ſend any 'Succour, either of Money, or of any other Thing 'neceſſary. And therefore, leaves it to 'the Con-'duct, Ability, and Zeal of the Count of Arco for 'the Service of his moſt auguſt Maſter, to act as 'he ſhould judge moſt proper on Occaſion. I ſay, the Tenor of this Letter is very different from that of the firſt, or of the two firſt; becauſe, ſuppoſing the Letter of the 16th of February had oblig'd the Garriſon to defend themſelves to the laſt Man, or 'to the laſt Drop of Blood, (Expreſſions very different from that in the ſaid Letter, which ſays ſimply, 'that the Place ſhould not be yielded up, ex-'cept with Sword in Hand in the Breach) ſuppoſing further, that the Letter of the 28th of May, which I never ſaw, made uſe of the very Terms recited in the Sentence; 'tis moſt certain, that if the two firſt Letters abſolutely reſtrain'd the Governour from Capitulating, or at leaſt did not allow him to do it till he had firſt uſed all poſſible Efforts to ſuſtain the Aſſaults of the Enemy; the Letter of the 30th of June on the contrary leaves it to him to act as his Prudence, and Zeal for the Publick Good, ſhould prompt him. So that this laſt Order, as being repugnant and poſterior to the former, does (even according to the Laws) conſequently revoke or ſuperſede them.

That was the Interpretation put upon it, not only by the Count of Arco, but by the 30 Officers, who in the Council of War that preceeded the Capitulation, gave their Opinion before him, and before me: And it was for me, more than any other Officer, to concur in that Opinion, becauſe I knew better than any Man the Motives that might rationally have induc'd his Highneſs to change his firſt Order, being my ſelf the Perſon who ſo often before had ſent him ſuch Accounts of the ill Condition of the Place, as might ſufficiently convince him that it was not in a State of Defence.

From what I have hitherto ſaid, it muſt be concluded, that it was impoſſible for the Count of Arco, my ſelf, or any other Governour that might have been in Briſac, to defend the Place, the Want of things neceſſary for that purpoſe being too evidently prov'd. As for me, I had no particular Authority, by oppoſing the unanimous Vote of the other Officers, to hinder the Capitulation (which yet is the thing ſuppos'd in the Sentence, wherein I am condemn'd

demn'd particularly as guilty of not hindering it) for the Letter which made me independant of the Count of Arco, did not come to my Hands till after the Place was furrendred: Befides, had I had the Authority, and Power sufficient to hinder it, I could not have done it with Juftice, the aforesaid Order, which I did not receive till the Business was over, not giving me the Absolute Command, unless in Case I should discover in the Count of Arco some Design directly contrary to the Imperial Service; and so far was I from judging to be such, that Design (or Resolution) which with the Consent of all the Officers he took to surrender the Place, that it appear'd to me to to be a most just Choice of the least Evil.

It is no new thing in the World, to see sometimes unjust Sentences given under the Authority of a most just Prince: Wherefore the unhappy Experience I have had of it, ought not to make the slightest Impression upon the Publick, in Disparagement of the Justice of the most gracious Emperor; in whom all the World acknowledge that Virtue to be eminent. But yet I conceive my self oblig'd to declare publickly, that tho' I am ready to own the constant Equity of the Emperor, what Wrong soever has been done to me, yet I fully understand the true Cause of my Disgrace.

I have already said, that I had Knowledge of a Letter which his Imperial Majesty wrote in answer to the Count of Arco, namely, that whereof a Copy was sent to me by the Council of War, and which was deliver'd to me at Rinfeld, after the Surrender of Brisac, by the abovenam'd Captain Kaiser. I will here insert the expres Terms of one Passage of that Letter, which hitherto I have kept conceal'd: That Passage is as follows.

'The abovenamed Marquis of Baden, has given 'us to understand, that Brisac is sufficiently provi-'ded, as well with Men as with other Things ne-'cessary for resisting the present Attack of the Ene-'my: Wherefore, we command you to defend it to the last Man.

This, was the greatest Argument that could perswade his Imperial Majesty he was ill serv'd in the Defence of Brisac: And, I confess, his Indignation was very just, supposing the Place was sufficiently provided.

To conclude, As I preserv'd that constant and unalterable Veneration which I owe to his Imperial Majesty's Justice, even after I was condemn'd; so I flatter'd my self I should be able to convince him fully of my Innocence, if, as I wish'd, and endeavour'd at my Return to Vienna, I could have the Happyness to lay my self at his Feet. But the Traverses usually met with in Courts, or perhaps Fortune obstinately bent to continue to persecute me, having not permitted me to compass so just a Desire, I am oblig'd to make my Justification publick, hoping by that Means it may the more easily come to be seen by his Imperial Majesty, by all Princes, and by all Men of Honour, to the End they may all be equally inform'd of the Innocence of

Louis Ferdinand Marsigli.

Yesterday a Proclamation was publish'd for calling a New Parliament; in which it is signified, that the Writs are to bear *Teste* the 2d of May, and to be returnable on the 14th of June, next.

The Candidates agreed to be Representatives in Parliament for the City of London, are,

Sir Robert Clayton,
Sir William Ashurst, } Knights and Aldermen.
Sir Gilbert Heathcot,
Samuel Shepard, Esquire. Commoner.

Being all Gentlemen of known Loyalty to Her Majesty Queen *ANNE*, and hearty Friends to Her Government, both in Church and State.

Never Acted but Twice.

AT the Theatre Royal in Drury-Lane, this present Wednesday, being the 25th of April, will be presented a new Comedy call'd, The Tender Husband; Or, The Accomplish'd Fools.

Never Acted before.

AT the Queen's Theatre in the Hay-Market, this present Wednesday being the 25th of April, will be presented a new Farce call'd, The Consultation. To which will be added, The Mask of the Loves of Mars and Venus in three Musical Entertainments.

This day is publish'd,

Matters of Fact relating to the Navy truly stated. Printed for Edward Castle next Scotland-Yard-Gate near Whitehall.

There is a Cold Bath

At the Hummums in Charles Street, Covent-Garden, with every thing Convenient for Cold Bathing. Attendance will be given every Day till Two in the Afternoon.

There is lately arriv'd at Billingsgate a Vessel with very large, new and white Newfoundland Cod-fish, taken as Prize from the French; never landed, salted with choice French Bay-salt, weighing 14 or 15 Pounds the Couple, one with the other, to be sold at 12 d. the Couple retail. And for Commanders of Ships taking a quantity, to be deliver'd clear of all Charges into any Boats at Billingsgate Stairs.

On May-Day, being Tuesday next, will be expos'd to Sale by Auction, Mr. Burlace Miller's Stock of Woollen Cloath, at his Shop, the Sign of the three Bells in Ludgate-street. The Sale will begin at two a Clock in the Afternoon. Catalogues may be had at the said Shop: And the Goods may be seen every day.

This present Wednesday will continue the Sale, at the late Mr. Millington's Warehouse in St. Barthol'mew's Close, of a Collection of valuable Books, viz. Greek, Latin, English, Italian, French, Spanish, &c. In Divinity, Law, History, Geography, Philology, Physick, Mathematicks, &c. Being part of the Stock of Mr. E. Millington, Bookseller, lately deceas'd. Beginning at Numb. 98. Pag. 4. Catalogues may be had of Mr. Cox without Temple-bar, Mr. Hartley in Holbourn, Mr. Knaplock in St. Paul's Church-yard, Mr. R. Parker under the Piazza of the Royal Exchange, Mr. Shirley in Oxford, and Mr. Thurlborn in Cambridge, Booksellers; and at the Place of Sale.

At the Grainge Inn in Little-Lincolns-Inn-Fields, are three sound serviceable Saddle-Nags to be disposed of, together or apart, at reasonable Rates.

For Sale by Auction, at the Blue-coat Coffee-house in Swithin's Alley, near the Royal Exchange, on Thursday the 26th of this instant April, at four of the Clock in the Afternoon, viz. A parcel of Parchments and Forrels in small Lots; And pieces, ditto, ready squar'd fit for Cartridges, or Binding; Writing Parchment ready squar'd fit for the Stamp. The Goods may be seen at Mr. Ellis's House in Pudding-Lane by the Monument, from the 23d instant, till the Time of Sale.

A Brief Account of the Tack. In a Letter to a Friend. Printed in the Year, 1705. Price 2 d.

☞ Whereas William Brown, the Son of William Brown, Stocking-Weaver, in King-Street, Spittle-Fields, was afflicted with a Scrophulous Humour, or Evil in his Eyes and Face, almost since his Birth, that it had reduced him in a great measure to an absolute Blindness in both Eyes, and had continued so near 15 Years, having used all Advice and Means to no effect; till applying himself to Dr. William Read, Her Majesty's Principal Oculist and Operator for the Eyes, in Durham-Yard in the Strand, London, who at the Request and Recommendations of the Minister and Church-wardens of the Parish of Stepney, signifying him a fit Object of his frequent Charitable Works, in freely helping the Poor; He undertook him, and with the Application of his Medicine, and Care, he has cured him, and restor'd him to his perfect Sight, Gratis, as is Attested, and desired to be inserted by me, the Mother of the Boy,

Elizabeth Brown.

∴ Note, Dr. Read never inserts any Cures but what is at the desire of the Patients; and every Advertisement affords Variety of Cures perform'd daily: He does not insert any Cure more than once.

The Right Venetian Strops, being the Only Fam'd Ones made, as appears by the many Thousands that have been sold, notwithstanding the many false Shams, foolish Impertinencies, and ridiculous Pretences, (as Original, &c.) that are almost every day publish'd to promote the Sale of Counterfeits, and to lessen the great and wonderful Fame of these Venetian Strops, which are most certainly the best in the World, for they will give Razors, Penknives, Lancets, &c. such an exquisite, fine, smooth, sharp, exact and durable Edge, that the like was never known, which has been experienc'd by Thousands of Gentlemen in England, Scotland and Ireland. Are sold only at Mr. Allcraft's a Toyshop at the Blue-Coat-Boy against the Royal Exchange in Cornhill, at Mr. Brooks's a Stationer at the Ship near the May-Pole in the Strand, and at Mr. Cooper's a Toyshop at the corner of Charles-Court near York-Buildings in the Strand, at 1 s. each, or 10 s. a Dozen (neatly fix'd on Boards) with Directions.

The only true Original Strops for setting Razors, Penknives, Lancets, &c. prepared and publish'd by the first Author that ever any were sold for in England, are only to be had at John's Coffee-house in Swithing's Alley near the Royal Exchange (as hath been often mention'd in the Gazette) price 1 s. each, with Directions, neatly fix'd on Boards.

The Great German Spirit for Deafness, Thickness of Hearing, Noise or Pain in the Ears, &c. a few Drops of which drop'd warm into the Ears every night and morning, cures to admiration. With this Spirit a certain Nobleman cured several that were born Deaf: For it being of a volatile and congenious Nature, prevades or enters into the Membrane of the Tympanum, or Drum of the Ears, and removes all the Impediments or Obstructions thereof; being a Medicine powerful, safe and easy, fails never if curable; and many times cures those that have been deem'd incurable, after Syringing, Fuming, and the use of all external as well as internal Application. To be had only at Mr. Spooner's, now removed from Goodman's-fields, to the Golden Key, a little way within Black-Fryars near Ludgate, price 3 s. 6 d. the Bottle, with Directions.

LONDON Printed, and Sold by *Sam. Buckley* at the *Dolphin* in *Little-Britain*.